

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED
 26 U.S.C. § 7206(1) - False Return
 (2 counts);

 26 U.S.C. § 7202 - Willful Failure
 To Collect or Pay Over Taxes
 (4 counts)

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony
PENALTY:
 26 U.S.C. § 7206(1) - 3 yrs impris., \$250k fine, 1 yr Sup. Rel.,
 \$100 assessment;

 26 U.S.C. § 7202 - 5 yrs, \$250k fine, 3 yr Sup. Rel., \$100
 assessment
PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

INTERNAL REVENUE SERVICE

☐ person is awaiting trial in another Federal or State
 Court, give name of court

☐ this person/proceeding is transferred from another
 district per (circle one) FRCrP 20, 21 or 40. Show
 District

☐ this is a reprosecution of
 charges previously dismissed
☐ which were dismissed on
 motion of:
SHOW
DOCKET NO.
☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a
 pending case involving this same
 defendant
MAGISTRATE
CASE NO.
☐ prior proceedings or appearance(s)
 before U.S. Magistrate regarding
 this defendant were recorded under

 Name and Office of Person
 Furnishing Information on JOSEPH P. RUSSONIELLO
 THIS FORM

☒ U.S. Att'y ☐ Other U.S. Agency

 Name of Asst. U.S. Att'y
 (if assigned) THOMAS MOORE, AUSA, CHIEF, TAX DIV.

 Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND
DEFENDANT - U.S.

ROBERT DEAN JORGENSEN

DISTRICT COURT NUMBER

CR 09

0291

DEFENDANT**IS NOT IN CUSTODY**
 1) ☒ Has not been arrested, pending outcome this proceeding.
 If not detained give date any prior summons
 was served on above charges
2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)

NORTHERN DISTRICT OF CALIFORNIA

IS IN CUSTODY4) ☐ On this charge5) ☐ On another conviction6) ☐ Awaiting trial on other
charges
☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

 Has detainer
 been filed?

☐ Yes
☐ No

 If "Yes"
 give date
 filed
**DATE OF
ARREST**

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

**DATE TRANSFERRED
TO U.S. CUSTODY**
☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**☒ SUMMONS ☐ NO PROCESS*☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

 *Where defendant previously apprehended on complaint, no new summons
 or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: OAKLAND

CK 09

0291

FILED CW
MAR 19 PM 2:24
RICHARD J. ...
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

V.

ROBERT DEAN JORGENSEN,

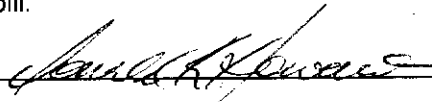
DEFENDANT(S).

INDICTMENT

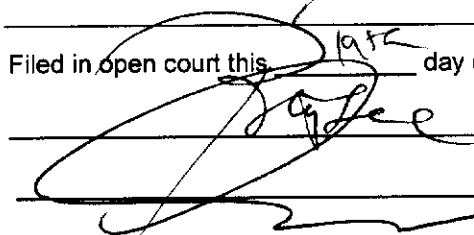
26 U.S.C. § 7206(1) - False Return (2 counts)

26 U.S.C. § 7202 - Willful Failure To Collect or Pay Over Taxes
(4 counts)

A true bill.


Foreman

Filed in open court this 19th day of March 2009


Clerk

BETTY P. LEE

EDWARD M. CHEN
UNITED STATES MAGISTRATE JUDGE

Bail, \$

Summons for 3/28 before WJB

JOSEPH P. RUSSONIELLO
United States Attorney

FILED
09 MAR 19 PM 2:24
RICHARDSON
CLERK OF COURT
DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

CW

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT DEAN JORGENSEN,

Defendant.

CR 09

0291

VIOLATIONS: 26 USC § 7206(1)-
False Return (2 Counts); 26 U.S.C. §
7202- (4 Counts); Willful Failure to
Collect or Pay Over Taxes

OAKLAND VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (26 U.S.C. § 7206(1) - False Return)

On or about April 15, 2003, in the Northern District of California, the defendant

ROBERT DEAN JORGENSEN,

then a resident of Union City, California, did willfully and knowingly make and subscribe a joint
U.S. Individual Income Tax Return for the calendar year 2002, which was filed with the Internal
Revenue Service and verified by the defendant in a written declaration that it was made under the
penalties of perjury, which income tax return he did believe to be true and correct as to every
material matter in that said defendants reported gross receipts of \$173,394 on the Schedule C for
the business named Loyal's Machine Shop, whereas, he then and there well knew and believed,

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1 that the gross receipts were more than \$284,000.

2 In violation of Title 26, United States Code, Section 7206(1).

3 COUNT TWO: (26 U.S.C. § 7206(1) - False Return)

4 On or about April 14, 2004, in the Northern District of California, the defendant

5 ROBERT DEAN JORGENSEN,

6 then a resident of Union City, California, did willfully and knowingly make and subscribe a joint
7 U.S. Individual Income Tax Return for the calendar year 2003, which was filed electronically
8 with the Internal Revenue Service, and which was verified by a written declaration on a U.S.
9 Individual Income Tax Declaration for Electronic Filing, Form 8879, made under the penalties of
10 perjury, and which income tax return he did not believe to be true and correct as to every material
11 matter in that said defendant reported gross receipts of \$166,869 on the Schedule C for the
12 business named Loyal's Machine Shop, whereas, he then and there well knew and believed, that
13 the gross receipts were more than \$250,000.

14 In violation of Title 26, United States Code, Section 7206(1).

15 COUNT THREE: (26 U.S.C. § 7202 - Willful Failure to Collect or Pay Over Taxes)

16 On or about April 30, 2003, in the Northern District of California, the defendant

17 ROBERT DEAN JORGENSEN,

18 then a resident of Union City, California, who, as the owner and responsible person for a
19 business known as Loyal's Machine Shop located in Hayward, California, during the first quarter
20 of 2003, ending March 31, 2003, was required by the tax laws of the United States to collect,
21 account for and pay over to the Internal Revenue Service federal income taxes and Federal
22 Insurance Contribution Act taxes in the sum of \$4,341.74, from the total taxable wages of
23 employees of Loyal's Machine Shop, did willfully fail to truthfully account for and pay over to
24 the Internal Revenue Service said federal income taxes withheld and Federal Insurance
25 Contributions Act taxes due and owing to the United States of America for said quarter ending
26 quarter ending March 31, 2003, in violation of Title 26, United States Code, Section 7202.

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1 COUNT FOUR: (26 U.S.C. § 7202 - Willful Failure to Collect or Pay Over Taxes)

2 On or about July 31, 2003, in the Northern District of California, the defendant
3 ROBERT DEAN JORGENSEN,
4 then a resident of Union City, California, who, as the owner and responsible person for a
5 business known as Loyal's Machine Shop located in Hayward, California, during the second
6 quarter of 2003, ending June 30, 2003, was required by the tax laws of the United States to
7 collect, account for and pay over to the Internal Revenue Service federal income taxes and
8 Federal Insurance Contribution Act taxes in the sum of \$2,950.74, from the total taxable wages
9 of employees of Loyal's Machine Shop, did willfully fail to truthfully account for and pay over to
10 the Internal Revenue Service said federal income taxes withheld and Federal Insurance
11 Contributions Act taxes due and owing to the United States of America for said quarter ending
12 quarter ending June 30, 2003, in violation of Title 26, United States Code, Section 7202.

13 COUNT FIVE: (26 U.S.C. § 7202 - Willful Failure to Collect or Pay Over Taxes)

14 On or about October 31, 2003, in the Northern District of California, the defendant
15 ROBERT DEAN JORGENSEN,
16 then a resident of Union City, California, who, as the owner and responsible person for a
17 business known as Loyal's Machine Shop located in Hayward, California, during the third
18 quarter of 2003, ending September 30, 2003, was required by the tax laws of the United States to
19 collect, account for and pay over to the Internal Revenue Service federal income taxes and
20 Federal Insurance Contribution Act taxes in the sum of \$2,950.74, from the total taxable wages
21 of employees of Loyal's Machine Shop, did willfully fail to truthfully account for and pay over to
22 the Internal Revenue Service said federal income taxes withheld and Federal Insurance
23 Contributions Act taxes due and owing to the United States of America for said quarter ending
24 quarter ending September 30, 2003, in violation of Title 26, United States Code, Section 7202.

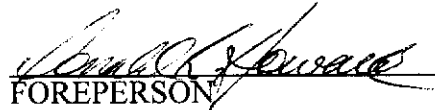
25 COUNT SIX: (26 U.S.C. § 7202 - Willful Failure to Collect or Pay Over Taxes)

26 On or about January 30, 2004, in the Northern District of California, the defendant
27 ROBERT DEAN JORGENSEN
28 then a resident of Union City, California, who, as the owner and responsible person for a

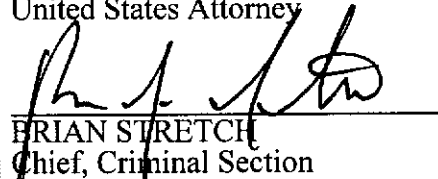
business known as Loyal's Machine Shop located in Hayward, California, during the fourth quarter of 2003, ending December 31, 2003, was required by the tax laws of the United States to collect, account for and pay over to the Internal Revenue Service federal income taxes and Federal Insurance Contribution Act taxes in the sum of \$3,178.00, from the total taxable wages of employees of Loyal's Machine Shop, did willfully fail to truthfully account for and pay over to the Internal Revenue Service said federal income taxes withheld and Federal Insurance Contributions Act taxes due and owing to the United States of America for said quarter ending quarter ending December 31, 2003, in violation of Title 26, United States Code, Section 7202.

A True Bill


Dated: 3-19-09


FOREPERSON

JOSEPH P. RUSSONIELLO
United States Attorney


BRIAN STRETCH
Chief, Criminal Section

Approved as to Form


THOMAS MOORE
Assistant United States Attorney
Chief, Tax Division